

## **REMARKS**

Applicants respectfully request reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully request that the Examiner withdraw all rejections. Claims 1, 3, 4, 12, 14, 15, 21 and 22 have been amended. No claims have been canceled. No claims have been added. Thus, claims 1-22 are pending.

### **35 U.S.C. §112 Rejections**

#### **Rejections under 35 U.S.C. §112, ¶2**

The Office Action rejects claims 3 and 14 under 35 U.S.C. §112, ¶2 for failure to point out and distinctly claim that which Applicants regard as their invention. The Office Action implies that references to “a second set of functions” and “a third set of functions” in claims 3 and 14 conflict with the “first set of functions” and “second set of functions” established in claims 1 and 12. Applicants traverse the above rejection for at least the following reasons.

In rejecting claims 3 and 14, the Office Action suggests that the rejected claims be amended to recite “a third set of functions” and “a fourth set of functions”. Applicants herein amend the rejected claims 3 and 14 to variously refer to a third set of functions and a fourth set of functions, as suggested in the Office Action. Applicants respectfully submit that the currently amended claims particularly point out and distinctly claim that which Applicants regard as their invention. Therefore, Applicants respectfully request that the 35 U.S.C. §112, ¶2 rejection of claims 3 and 14 be withdrawn.

### **35 U.S.C. §101 Rejections**

The Office Action rejects claims 1-6, 10, 11, 21 and 22 under 35 U.S.C. §101 as being directed toward non-statutory matter. More particularly, the Office Action interprets independent claims 1 and 21 as being directed merely to software, and not to a process, machine, manufacture or composition of matter. Furthermore, the Office Action

alleges that each of independent claims 1, 21 and 22 fails to provide a useful, concrete and tangible result. Applicants traverse the above rejection for at least the following reasons.

The above rejected claims include independent claims 1, 21 and 22. Without agreeing as to the characterizations of claims 1, 21 and 22 in the Office Action, and in order to advance the application to allowability, Applicants amend claim 1 herein to recite in a salient portion (emphasis added):

“...**a role allocation module to record a selection** by a user of at least one of an instructional design role and a content definition role for the user to assume with respect to the authoring tool;

**a memory to store the record of the selection;...**”

Claim 22 includes amendments similar to those of claim 1. Furthermore, Applicants amend claim 21 to recite in a salient portion (emphasis added):

“...**first means for recording** a selection by a user of at least one of an instructional design role and a content definition role for the user to assume with respect to the authoring tool;...”

The claim amendments are supported in the original disclosure at least by memory 304 in FIG. 14 and by paragraphs [0059]-[0060] of the specification. Applicants submit that each of claims 1 and 21 is directed to statutory matter at least insofar as the claims variously recite a means for recording which is **not** limited to software. More particularly, a claimed **means for recording** a selection in claim 21 may include a **memory** on which the recording of the selection is made, such as the memory **explicitly** recited in claim 1. Therefore, amended claims 1 and 21 variously recites a memory or other means of recording a selection which may include a process, machine, manufacture or composition of matter.

Furthermore, claims 1, 21 and 22 include a **tangible, concrete and useful result** at least insofar as each of the claims variously **records** (e.g. by storing on a memory) **a selection** by a user of a role for the user to assume with respect to the authoring tool. The user may thereby avail of a set of functions allocated to a selected role, where the user

has allocated the set of functions to the role. Accordingly, Applicants respectfully submit that the currently amended claims meet the requirements of 35 U.S.C. §101 insofar as they (1) are directed to a statutory process, machine, manufacture or composition of matter and (2) include a tangible, concrete and useful result. Therefore, Applicants respectfully request that the 35 U.S.C. §101 rejection of claims 1-6, 10, 11, 21 and 22 be withdrawn.

### 35 U.S.C. §103(a) Rejections

#### **35 U.S.C. §103(a) Rejection over *Owens* and *Sadhwani-Tully***

The Office Action rejects claims 1-10 and 12-22 under §103(a) as being obvious in light of *Owens et al.*, USPN 6,315,572 (hereinafter “*Owens*”) in view of *Sadhwani-Tully*, USPN 6,785,822). To establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by one or more prior art references. *See* M.P.E.P. § 2143.03. The Office Action alleges that *Owens* discloses, *inter alia*, facilitating an allocation of a user to at least one of an instructional design role and a content definition role with respect to the authoring tool. *Sadhwani-Tully* is further alleged to disclose a role allocation module and a function allocation module. For at least the following reasons, Applicants traverse the above rejection.

The above rejected claims include independent claims 1, 12, 21 and 22. Currently amended claim 1 recites in a salient portion (emphasis added):

“a role allocation module to record a **selection by a user** of at least one of an instructional design role and a content definition role **for the user to assume** with respect to the authoring tool;...

a function allocation module to allocate a first **set of functions**, provided by the authoring tool and **selected by the user**, to the instructional design role, and to allocate a second **set of functions**, also provided by the authoring tool and **selected by the user**, to the content definition role.”

Amended claims 12, 21 and 22 include similar limitations. The claim amendments are supported in the original disclosure at least by paragraphs [0020]-[0021] of the specification.

Applicants submit that each of rejected claims 1-10 and 12-22 is non-obvious based at least on a failure of *Owens* and *Sadhwani-Tully* to teach or suggest, as variously recited in the independent claims, a **user selection** of a role **for the user to assume** with respect to the authoring tool, the selection of at least one of an instructional design role allocated a first set of functions **selected by the user** and a content definition role allocated a second set of functions **selected by the user**.

In rejecting the above claims, the Office Action relies on references 408, 410, 412 and 418 of FIG. 4 in *Sadhwani-Tully* as disclosing a function allocation module. However, the *Sadhwani-Tully* reference discusses various functionalities being **assigned** to a user by a **system administrator**. *Sadhwani-Tully* does not disclose, for example, a **user** selecting a functionality to be allocated to a **role selected by the user** for the **user** to assume with respect to an authoring tool.

*Sadhwani-Tully* discusses systems and methods for a system administrator to configure profiles to limit access to functionality from specific groups or users. See, e.g. *Sadhwani-Tully* col. 1, lines 48-52. In *Sadhwani-Tully*, **system administrators** use profiles and security rights enabled to **control user access** to management solutions. When a user logs in to any of the management solutions applications, a toolbar and menu appear that correspond to the profile **assigned to that user**. The user sees **only** the menu commands and toolbar buttons belonging to the **assigned** profile. If neither the user profile nor group profile for the user can be found, and a default system profile has not been designated, the user **cannot** receive any system action associated with any of the management solutions applications. See, e.g. *Sadhwani-Tully* col. 4, line 65 to col. 5, line 20. With particular regard to the references 408, 410, 412 and 418 of FIG. 4 relied on in the Office Action, *Sadhwani-Tully* col. 6, lines 38-43 and lines 63-66 describe these references as elements of a profile configuration dialog box 400 used by a **system administrator** to variously configure and **assign** profiles to users.

Therefore, *Sadhwani-Tully* fails to disclose a **user** selecting a functionality to be allocated to a **role selected by the user** for the **user** to assume with respect to an

authoring tool. Assuming *arguendo* that all other limitations of the claim were anticipated or rendered obvious, which Applicants do not agree, *Sadhwani-Tully* still does not disclose a **user selection** of a role **for the user to assume** with respect to the authoring tool, the selection of at least one of an instructional design role allocated a first set of functions **selected by the user** and a content definition role allocated a second set of functions **selected by the user**. The Office Action does not offer *Owens* as disclosing any allocation of a function to a role. Therefore, the cited references fail to either teach or suggest at least one limitation of the invention as variously recited in each of independent claims 1, 12, 21 and 22.

Accordingly, each of independent claims 1, 12, 21 and 22 is non-obvious in light of *Owens* and *Sadhwani-Tully*. If an independent claim is non-obvious under 35 U.S.C. §103, then any claims depending therefrom – e.g. claims 2-10 and 13-20– are also non-obvious. See M.P.E.P. §2143.03. For at least the foregoing reasons, Applicants request that the above 35 U.S.C. §103(a) rejection of claims 1-10 and 12-22 based on *Owens* and *Sadhwani-Tully* be withdrawn.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the objections and rejections have been overcome. Therefore, claims 1-22 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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